

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**INACOM CORP., et al.**

**Plaintiffs**

**v.**

**DELL COMPUTER CORP.**

**Defendant**

**Civil Action No. 04-CV-582 (GMS)**

**INACOM CORP., et al.**

**Plaintiffs**

**v.**

**LEXMARK INTERNATIONAL, INC.**

**Defendant**

**Civil Action No. 04-CV-583 (GMS)**

**INACOM CORP., et al.**

**Plaintiffs**

**v.**

**Civil Action No. 04-CV-593 (GMS)**

**INGRAM ENTERTAINMENT INC.**

**Defendant**

**DEFENDANTS' MOTION TO EXCLUDE THE  
EXPERT TESTIMONY AND REPORT OF STUART A. GOLLIN**

Defendants Dell Computer Corp. (“Dell”), Lexmark International, Inc. (“Lexmark”) and Ingram Entertainment Inc. (“Ingram”) (collectively “Defendants”) move the Court to exclude the proffered expert testimony and report of Mr. Stuart A. Gollin because they are not sufficiently reliable and relevant to satisfy the standards of Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), as made applicable to non-scientific expert testimony by *Kumho Tire Company v. Carmichael*, 526 U.S. 137 (1999).

In support of this motion, Defendants rely on their attached Opening Memorandum In Support Of Defendants’ Motion To Exclude The Expert Testimony And Report Of Stuart A. Gollin. A proposed order is tendered.

Dated: August 15, 2005

Respectfully submitted,

TGJ

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